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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,146	02/20/2004	John P. Franz	200314068-1	7037

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EXAMINER

LEVI, DAMEON E

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/783,146

Applicant(s)

FRANZ ET AL.

Examiner

Dameon E. Levi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04/19/2005 Election.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restrictions***

Applicant's election of claims 10-31 in the reply filed on 04/19/2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). ~~The requirement is therefore made FINAL.~~

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 10-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Nolan et al US Patent 6252514.**

**Regarding claim 10,** Nolan et al discloses an apparatus comprising:

a leverage member pivotable(for example, see elements 210, 211, Figs 2-7) with respect to an electronic component, and

a first engagement member(for example, see elements 218, Figs 2-7) located on a first side of a centerline of the electronic

component and a second engagement member (for example, see elements 219, Figs 2-7) located on a second side of the centerline of the electronic component opposite the first side, wherein the first and second engagement members pivot with respect to the electronic component in response to the actuation of the leverage member(see Figs 2-7).

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**Regarding claim 11**, Nolan et al discloses a first linkage member(for example, see elements 213,223 Figs 2-7) pivotably coupled to the actuation member and the first engagement member;  
a second linkage member(for example, see elements 212,222, Figs 2-7) pivotably coupled to the actuation member and the second linkage member; and wherein the first and second linkage members are configured to pivotably actuate the first and second engagement members in response to actuation of the actuation member to bias a first electrical connector coupled to the electronic component between engaged and disengaged positions with respect to a second electrical connector coupled to an electronic device chassis(for example, see elements 219,218,222,212,223,213, Figs 2-7).

**Regarding claim 12**, Nolan et al discloses comprising a securing mechanism(for example, see elements 260, Figs 2-7) configured to selectably secure the position of the leverage member with respect to the electronic component.

**Regarding claim 13**, Nolan et al discloses wherein the leverage member and the first and second engagement members are coupled to the electronic component(for example, see elements 210, 211,218,219, Figs 2-7).

**Regarding claim 14**, Nolan et al discloses wherein the electronic component comprises a computer component (for example, see elements 200, Figs 2-7).

**Regarding claim 15**, Nolan et al discloses wherein the computer component includes a processor(for example, see elements 100, Figs 1-7).

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**Regarding claim 16**, Nolan et al discloses wherein the computer component comprises a data storage device(for example, see elements 100, Figs 1-7, see column 4, lines 5-65).

**Regarding claim 17**, Nolan et al discloses an apparatus comprising:

an electronic component having a first electrical connector(for example, see elements 200,205 Figs 1-7).;

a leverage member(for example, see elements 210, 211, Figs 2-7) pivotably coupled to the electronic component at a pivot joint;

first and second biasing members(for example, see elements 218, 219, Figs 2-7)

pivotably coupled to the electronic component at first and second nonadjacent edges, respectively;

first and second linkage members(for example, see elements 222, 212, 223, 213, Figs

2-7) pivotably coupled to the leverage member and to the first and second biasing

members, respectively; wherein the first and second biasing members cooperate to bias

the first electrical connector between disengaged and engaged positions with respect to

a second electrical connector in response to actuation of the leverage member(for

example, see Figs 2-7).

**Regarding claim 18**, Nolan et al discloses wherein the electronic component comprises a computer component(for example, see elements 200, Figs 2-7).

**Regarding claim 19**, Nolan et al discloses wherein the computer component comprises a processor(for example, see elements 100, Figs 1-7).

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**Regarding claim 20**, Nolan et al discloses wherein the computer component comprises a cooling device(for example, see elements 100, Figs 1-7, see column 4, lines 5-65).

**Regarding claim 21**, Nolan et al discloses wherein the computer component comprises an electronics substrate(for example, see column 4, lines 5-65).

**Regarding claim 22**, Nolan et al discloses wherein the first and second biasing members are each located substantially at a substantially equal distance from a centerline of the electronic component(for example, see elements 218, 219, Figs 2-7).

**Regarding claim 23**, Nolan et al discloses wherein the leverage member pivotably couples to the electronic component substantially along a centerline of the electronic component(for example, see elements 210, 211, Figs 2-7).

**Regarding claim 24**, Nolan et al discloses a device comprising:

a chassis(for example, see elements 100, Figs 2-7)

a first electrical connector(for example, see elements 205, 200,Figs 2-7) electrically coupled to a first computer component disposed in the chassis;

a second computer component having a second electrical connector(for example, see columns 4, lines 20-40,Figs 2-7) configured to engage with the first electrical connector;

and a biasing mechanism, comprising:

a leverage member(for example, see elements 210, 211, Figs 2-7) pivotable with respect to the second computer

component; and first and second biasing members(for example, see elements 218, 219, Figs 2-7) pivotably coupled to the leverage member at opposite sides of the second computer component, wherein the first and second biasing members are configured to

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bias the second electrical connector between engaged and disengaged positions with respect to the first electrical connector in response to actuation of the leverage member (for example, see Figs 2-7).

**Regarding claim 25**, Nolan et al discloses comprising a first linkage member (for example, see elements 212, 222, Figs 2-7) pivotably coupled to the first biasing member and the leverage member and a second linkage member (for example, see elements 213, 223, Figs 2-7) pivotably coupled to the second biasing member and the leverage member.

**Regarding claim 26**, Nolan et al discloses wherein the leverage member is coupled to the second computer component (for example, see elements 210, 211, Figs 2-7).

**Regarding claim 27**, Nolan et al discloses wherein the computer component includes a processor (for example, see elements 100, Figs 1-7).

**Regarding claim 28**, Nolan et al discloses wherein the chassis comprises notched portions (for example, see elements 615, Figs 2-7) configured to receive the first and second biasing members respectively.

**Regarding claim 29**, Nolan et al discloses wherein the leverage member comprises a securing mechanism (for example, see elements 260, Figs 2-7) configured to secure the position of the actuation member with respect to the second electronic component.

**Regarding claim 30**, the methods disclosed therein are deemed as being inherent in the assembly and operation of the claimed apparatus since Nolan et al teaches or suggests all the elements of the claimed invention as recited.

**Regarding claim 31**, Nolan et al discloses a device comprising:

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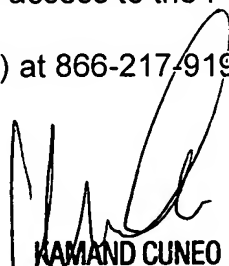
means for synchronously pivoting first and second engagement members located on opposite sides of a computer component (for example, see elements 218, 219, Figs 1-7);

means for leveraging the means for synchronously pivoting (for example, see elements 210, 211, 212, 222, 213, 223, Figs 1-7); to bias the first and second member cooperatively to bias the computer component between engaged and disengaged positions with respect to a computer device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dameon E. Levi whose telephone number is (571) 272-2105. The examiner can normally be reached on Mon.-Fri. (9:00 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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Art Unit 2841